

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 KENNETH A. HENDREN,
9 Petitioner,
10 vs.
11 BRIAN E. WILLIAMS, *et al.*
12 Respondents.

2:16-cv-00361-APG-PAL

ORDER

15 The petitioner in this habeas corpus action, Kenneth A. Hendren, has submitted an
16 application to proceed *in forma pauperis* (ECF No. 1), a petition for writ of habeas corpus pursuant
17 to 28 U.S.C. § 2254 (attached to application to proceed *in forma pauperis* (ECF No. 1)), and a
18 motion for appointment of counsel (ECF No. 2). In light of the information provided in the
19 application to proceed *in forma pauperis*, the court finds that Hendren is able to pay the \$5 filing fee.

20 **IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma pauperis*
21 (ECF No. 1) is **DENIED**. Petitioner shall have **45 days** from the date that this order is entered to
22 have the filing fee of five dollars (\$5) sent to the clerk of the court. Failure to comply with this order
23 will result in dismissal of this action.

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1 **IT IS FURTHER ORDERED** that the clerk of the court shall send petitioner two copies of
2 this order. Petitioner is ordered to make the necessary arrangements to have one copy of this order
3 attached to the check sent to the court in payment of the filing fee.

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5 Dated this 3rd day of March, 2016.

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8 UNITED STATES DISTRICT JUDGE

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